

The City Council of the City of Mattoon held a regular meeting in the City Hall Council Chambers on July 20, 2010.

Acting Mayor Gover presided and called the meeting to order at 6:30 p.m.

Acting Mayor Gover led the Pledge of Allegiance.

The following members of the Council answered roll call physically present: YEA Commissioner Randy Ervin, YEA Commissioner Rick Hall, YEA Commissioner Chris Rankin, YEA Acting Mayor Tim Gover.

Also physically present were City personnel: City Administrator Sue McLaughlin, Attorney & Treasurer J. Preston Owen, Community Development Coordinator Kyle Gill, Public Works Director David Wortman, Fire Chief Tony Nichols, Police Chief Jeff Branson, and City Clerk Susan O'Brien.

Commissioner Hall seconded by Commissioner Ervin moved to approve the consent agenda consisting of minutes of the regular meeting July 6, 2010; Police Department report for the month of June, 2010; bills and payroll for the first half of July, 2010.

Bills and Payroll for the first half of July, 2010

<u>General Fund</u>			
Payroll			\$ 249,100.71
Bills			<u>\$ 78,723.72</u>
	Total		\$ 327,824.43
<u>Hotel Tax Fund</u>			
Payroll			\$ 2,626.09
Bills			<u>\$ 118.36</u>
	Total		\$ 2,744.45
<u>Festival Management</u>			
Bills			<u>\$ 21,264.89</u>
	Total		\$ 21,264.89
<u>Insurance & Tort Judgment</u>			
Bills			<u>\$ 1,915.64</u>
	Total		\$ 1,915.64
<u>Capital Project Fund</u>			
Bills			<u>\$ 41,466.88</u>
	Total		\$ 41,466.88
<u>Midtown TIF District</u>			
Bills			<u>\$ 2,323.00</u>
	Total		\$ 2,323.00
<u>Water Fund</u>			
Payroll			\$ 25,853.87
Bills			<u>\$ 42,144.94</u>
	Total		\$ 67,998.81
<u>Sewer Fund</u>			
Payroll			\$ 28,868.29
Bills			<u>\$ 339,541.31</u>
	Total		\$ 368,409.60
<u>Cemetery Fund</u>			
Payroll			\$ 5,981.53
Bills			<u>\$ 30.00</u>
	Total		\$ 6,011.53

Motor Fuel Tax Fund

Bills		\$ 31,478.23
	Total	\$ 31,478.23

Health Insurance

Bills		\$ 72,806.30
	Total	\$ 72,806.30

Acting Mayor Gover opened the floor for discussion with no responders.

Acting Mayor Gover declared the motion to approve the consent agenda carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Public comments/presentations and non-agenda items:

Acting Mayor Gover opened the floor for public discussion with no responders.

Commissioner Rankin seconded by Commissioner Ervin moved to adopt Special Ordinance 2010-1394, declaring surplus property, authorizing its sale or disposal, and authorizing internet auctions.

**CITY OF MATTOON, ILLINOIS
SPECIAL ORDINANCE: 2010-1394**

A SPECIAL ORDINANCE DECLARING SEVEN POLICE DEPARTMENT VEHICLES AND FOUR PUBLIC WORKS DEPARTMENT EQUIPMENT SURPLUS AND AUTHORIZING THE SALE BY THE POLICE CHIEF AND PUBLIC WORKS DIRECTOR

WHEREAS, the Mattoon Police Dept. currently owns 7 vehicles being; (1) 2001 blue Crown Vic, (1) 2006 white Crown Vic, (3) 2007 white Crown Vic's, (1) 1997 blue Chevy Lumina, and (1) 1998 green Chevy pickup truck; and,

WHEREAS, the Public Works Department currently owns four (4) types of equipment being, (1) 1992 Chevrolet GMT-400, (1) 1981 Ford F600 Bucket Truck, and (1) 2000 Ford 1500 tractor, and (1) Western Ice Breaker; and,

WHEREAS, Police Chief Jeff Branson and Public Works Director David Wortman recommend these used vehicles/equipment be declared as surplus due to high mileage and increasing mechanical problems and be offered for sale to the highest bidder via EBAY.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. Vehicles and equipment identified on Exhibit A to this ordinance are hereby declared surplus to the needs of the Mattoon Police Dept. and Public Works Department.

Section 2. The City of Mattoon, Illinois does not express any warranty or imply any statement of condition of this surplus property. The Police Chief and Public Works Director are hereby authorized to advertise these units for sale by the most advantageous means and to negotiate the conditions for their sale with any interested parties. The City of Mattoon shall reserve the right to accept or reject any and/or all offers for this property. Upon no offer for any of the items listed on Exhibit A, the Police Chief and Public Works Director are authorized to dispose by any means necessary.

Section 3. The Mayor, City Clerk and Police Chief and Public Works Director are hereby authorized to administratively sell the property listed on Exhibit A to this ordinance to the highest bidder without further formal consideration or approval by the City Council.

Section 4. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 5. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Commissioner Rankin, seconded by Commissioner Ervin, adopted this 20th day of July, 2010, by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Commissioner Hall,
Commissioner Rankin, Acting Mayor Gover
NAYS (Names): None
ABSENT (Names): None

Approved this 20th day of July, 2010.

/s/ Timothy D. Gover
Timothy D. Gover, Acting Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on July 21, 2010.

Acting Mayor Gover opened the floor for discussion with no responders.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Acting Mayor Gover seconded by Commissioner Hall moved to adopt Special Ordinance 2010-1395, authorizing the Acting Mayor to sign an outright grant agreement by and between the City of Mattoon and CJ's Club reimbursing up to \$21,325 from Mid-town TIF Revenues for offsetting emergency wall repairs and engineering costs to the building located at 1817 Broadway Avenue.

CITY OF MATTOON, ILLINOIS
SPECIAL ORDINANCE NO. 2010-1395

AN ORDINANCE APPROVING A GRANT AGREEMENT BY AND BETWEEN THE CITY OF MATTOON, ILLINOIS AND MARY WEBER IN CONNECTION WITH THE MATTOON MIDTOWN REDEVELOPMENT PROJECT AREA

WHEREAS, Mary Weber (the "**Grantee**"), has submitted a proposal to the City of Mattoon, Illinois (the "**Municipality**") for redevelopment of a part of the Municipality's Mattoon Midtown Redevelopment Project Area (the "**Redevelopment Project Area**"); and, thereafter, the Municipality and the Grantee have engaged in negotiations related to a Grant Agreement (including all exhibits and attachments in connection therewith, the "**Grant Agreement**") concerning redevelopment incentives and assistance related to the preservation, development and redevelopment of a part of the Redevelopment Project Area.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. The Grant Agreement, in substantially the form thereof presented before the meeting of the City Council at which this ordinance is adopted, shall be and is hereby ratified, confirmed and approved, and the Mayor and City Clerk are authorized to execute and deliver the Grant Agreement for and on behalf of the Municipality; and upon the execution thereof by the Municipality and the Grantee, the appropriate officers, agents, attorneys and employees of the Municipality are authorized to take all supplemental actions, including the execution and delivery of related supplemental opinions, certificates, agreements and instruments not inconsistent with the Grant Agreement, desirable or necessary to implement and otherwise give full effect to the Grant Agreement. Upon full execution thereof, the Grant Agreement shall be attached to this ordinance as EXHIBIT "A".

Section 2. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 3. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Acting Mayor Gover, seconded by Commissioner Hall, adopted this 20th day of July, 2010, by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Commissioner Hall,
Commissioner Rankin, Acting Mayor Gover

NAYS (Names): None

ABSENT (Names): None

Approved this 20th day of July, 2010.

/s/ Tim Gover
Tim Gover, Acting Mayor
City of Mattoon, Coles County, Illinois

ATTEST: APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on July 21, 2010.

Attachment (1) - EXHIBIT "A"

Acting Mayor Gover opened the floor for discussion. Commissioner Rankin inquired if these were the same items on the last meeting. Administrator McLaughlin explained the process and would streamline future agreements.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Acting Mayor Gover seconded by Commissioner Ervin moved to adopt Special Ordinance 2010-1396, authorizing the Acting Mayor to sign an outright grant agreement by and between the City of Mattoon and Mattoon Tire & Auto reimbursing up to \$6,053.90 annually from S. 45 TIF Revenues over a ten-year period for water and sewer lines, a new concrete parking lot, a new concrete approach and curbs on Rt. 45 and overall site landscaping to the building located at 4112 Lake Land Blvd.

CITY OF MATTOON, ILLINOIS
SPECIAL ORDINANCE NO. 2010-1396

AN ORDINANCE APPROVING A GRANT AGREEMENT BY AND BETWEEN THE CITY OF MATTOON, ILLINOIS AND DAN WORTMAN IN CONNECTION WITH THE MATTOON SOUTH RT. 45 REDEVELOPMENT PROJECT AREA

WHEREAS, Dan Wortman (the "**Grantee**"), has submitted a proposal to the City of Mattoon, Illinois (the "**Municipality**") for redevelopment of a part of the Municipality's Mattoon South Rt. 45 Redevelopment Project Area (the "**Redevelopment Project Area**"); and, thereafter, the Municipality and the Grantee have engaged in negotiations related to a Grant Agreement (including all exhibits and attachments in connection therewith, the "**Grant Agreement**") concerning redevelopment incentives and assistance related to the preservation, development and redevelopment of a part of the Redevelopment Project Area.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MATTOON, COLES COUNTY, ILLINOIS, as follows:

Section 1. The Grant Agreement, in substantially the form thereof presented before the meeting of the City Council at which this ordinance is adopted, shall be and is hereby ratified, confirmed and approved, and the Mayor and City Clerk are authorized to execute and deliver the Grant Agreement for and on behalf of the Municipality; and upon the execution thereof by the Municipality and the Grantee, the appropriate officers, agents, attorneys and employees of the Municipality are authorized to

take all supplemental actions, including the execution and delivery of related supplemental opinions, certificates, agreements and instruments not inconsistent with the Grant Agreement, desirable or necessary to implement and otherwise give full effect to the Grant Agreement. Upon full execution thereof, the Grant Agreement shall be attached to this ordinance as EXHIBIT "A".

Section 2. This ordinance shall be deemed published as of the day of its adoption and approval by the City Council.

Section 3. This ordinance shall be effective upon its approval as provided by law.

Upon motion by Acting Mayor Gover, seconded by Commissioner Ervin, adopted this 20th day of July, 2010, by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Commissioner Hall,
Commissioner Rankin, Acting Mayor Gover

NAYS (Names): None

ABSENT (Names): None

Approved this 20th day of July, 2010.

/s/ Tim Gover
Acting Mayor Tim Gover
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/s/ Susan J. O'Brien
Susan J. O'Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on July 21, 2010.

Attachment (1) - EXHIBIT "A"

Acting Mayor Gover opened the floor for discussion with no responders.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Acting Mayor Gover seconded by Commissioner Hall moved to adopt Resolution 2010-2815, declaring the premises commonly known as "Young's Radiator," 120 North 14th Street, Mattoon, Illinois, as a dangerous building; and authorizing the Community Development Coordinator and City Attorney to take whatever steps necessary to demolish or cause to be repaired all the buildings located on the premises, including bringing a lawsuit against the owners of the property.

CITY OF MATTOON, ILLINOIS
RESOLUTION 2010-2815

A RESOLUTION CONCERNING A DANGEROUS BUILDING

WHEREAS, it is the desire of the City Council for the City of Mattoon, Coles County, Illinois, to remove unsafe, dangerous and unsightly buildings or to require the owners to repair them; and,

WHEREAS, all the buildings located on the premises commonly known as "Young's Radiator," 120 North 14th Street, Mattoon, Illinois, have deteriorated to the point that they are unreasonably dangerous and unsafe and are a continuing hazard to the public.

NOW THEREFORE BE IT RESOLVED, by the City Council for the City of Mattoon, Coles County, Illinois, that

Section 1. The recitals set forth above are incorporated herein as part of this Resolution.

Section 2. All the buildings located on the premises commonly known as “Young’s Radiator,” 120 North 14th Street, Mattoon, Illinois, are unsafe, dangerous and are a continuing hazard to the public and should be condemned.

Section 3. The City Attorney & Treasurer and Community Development Coordinator hereby are instructed to take whatever steps necessary to demolish or cause to be repaired all the buildings located on the premises commonly known as the “Young’s Radiator,” 120 North 14th Street, Mattoon, Illinois, including bringing an appropriate lawsuit in the Coles County Circuit Court against the owners compelling the repair and/or demolition thereof.

Upon motion by Acting Mayor Gover, seconded by Commissioner Hall, adopted this 20th day of July, 2010, by a roll call vote, as follows:

AYES (Names): Commissioner Ervin, Commissioner Hall,
Commissioner Rankin, Acting Mayor Gover

NAYS (Names): None

ABSENT (Names): None

Approved this 20th day of July, 2010.

/s/ Timothy D. Gover
Timothy D. Gover, Acting Mayor
City of Mattoon, Coles County, Illinois

ATTEST:

APPROVED AS TO FORM:

/a/ Susan J. O’Brien
Susan J. O’Brien, City Clerk

/s/ J. Preston Owen
J. Preston Owen, City Attorney & Treasurer

Acting Mayor Gover opened the floor for discussion. Commissioner Rankin questioned the “whatever necessary” statement and budgetary issues. Acting Mayor Gover stated there would be no cost to the City, except for the attorney’s time. Attorney & Treasurer Owen stated there would be filing fees due for any liens on the property. Council discussed the possible steps and commented on the dilapidated property.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Commissioner Rankin seconded by Commissioner Ervin moved to approve Council Decision Request 2010-1125, approving Change Order #37 in the amount of \$1,050 with Grunloh Construction for the Depot Project for the fabrication and installation of a newel post for the main stairway; and authorizing the Acting Mayor to sign the documents.

Acting Mayor Gover opened the floor for discussion. Commissioner Hall inquired whether any of the post was salvageable. Mrs. Jackie Record described the lengths to which the Society went to locate a replacement, and added Charleston blacksmith Lorelei Sims was hired to create a newel post.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Acting Mayor Gover seconded by Commissioner Hall moved to approve Council Decision Request 2010-1126, authorizing the employment of Josh Evans as Plumbing/Code Enforcement Inspector with a salary of \$40,000 to be paid from water and sewer funds, effective August 2, 2010 pending his drug screening.

Acting Mayor Gover opened the floor for discussion with no responders.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Acting Mayor Gover seconded by Commissioner Ervin moved to approve Council Decision Request 2010-1127, accepting the recommendation of the TIF Review Committee and authorizing disbursement of the remaining \$420,000 in TIF grant funds to the Sontejroh Corporation. [Quality Inn]

Acting Mayor Gover opened the floor for discussion with no responders.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

DEPARTMENT REPORTS:

CITY ADMINISTRATOR – updated Council on Progress Square rendering sent to individuals for comments and should receive the 3-D flythrough and still drawings soon; described the sewer backups at the Police Building and City Hall and addressed the Police Building situation; disclosed a proposed Right-of-Way ordinance regulating all of the right-of-ways throughout the City; and noted she would not be in attendance at the August 3rd meeting. Acting Mayor Gover opened the floor for questions with no responders.

ATTORNEY & TREASURER – noted the auditors were finalizing their fieldwork and would begin on the final report; distributed the executive financial summary with intentions of preparing a better format for dissemination of information; and announced the lawsuits of two hotels for lack of payment of hotel/motel taxes. Acting Mayor Gover opened the floor for questions with no responders.

CITY CLERK – noted the attendance of two informative seminars; and the acceptance of Waterfowl Hunting Applications through July 29th for an August 3rd drawing at 2:00 p.m. Acting Mayor Gover opened the floor for questions with no responders.

PUBLIC WORKS – noted the flooding issues across town with the WWTP as full with the labor pool retrieving storm-damaged limbs; announced the preparation of the oil and chip program for the first week in August; and noted two bid openings this week for mowing and regrading of Paradise ponds with an addition bid involving work on the South Side Drainage project in the near future. Acting Mayor Gover inquired whether any assistance was sent to Sullivan for storm damage cleanup with Director Wortman replying the City did not receive a call. Commissioner Hall inquired about the anticipated completion date of the Charleston Avenue Bridge with Director Wortman responding with the contractor's schedule date of November 22, 2010. Acting Mayor Gover opened the floor for questions with no responders.

COMMUNITY DEVELOPMENT – updated the Council on the demolition of 508 South 32nd Street; described a meeting with Cross County Mall regarding the parking lot and need for positive drainage plans; completed plumbing inspector interviews with Mr. Evans' positive interview; announced the house at 11th Street was to be demolished through donation by Mr. Bill Jones if the City would pay the diesel and dumping fees. The City thanked Mr. Jones for his donation. Commissioner Ervin inquired as to the number of Top Ten List nuisance properties which had been resolved. Coordinator Gill responded with two demolished and 11th Street would be the third, due to a combination of reasons. Acting Mayor Gover opened the floor for questions with no responders.

FIRE – updated the Council on services provided to the JFL Complex, incident command training at Donnelleys, walkthrough inspection at the SBLHC new building and Villa Nova; maintained a command post at Bagelfest; conducted promotional testing; and thanked Lt. Rich Heuerman and Driver Jim Donnell for their efforts in the placement of the surplus fire truck on ebay. Acting Mayor Gover mentioned the fire staff had 21 calls on Saturday. Acting Mayor Gover opened the floor for questions with no responders.

POLICE – re-iterated the flooding condition at the Police building with KIMA providing cleaning services; announced the surplus vehicles on ebay; provided accolades to Lt. Heuerman for his efforts in posting the vehicles online which were going well; noted Bagelfest was without incident; announced Saturday between 1 a.m. and 5 a.m. the plethora of calls and thanked outside enforcement agencies who assisted; and declared the park enforcement step-up had led to numerous juvenile arrests.

Acting Mayor Gover opened the floor for questions with no responders.

COMMENTS BY THE COUNCIL

Commissioner Ervin – nothing at this time.

Commissioner Rankin – thanked the Public Works and Police for park surveillance and enforcement.

Commissioner Hall – nothing at this time.

Acting Mayor Gover opened the floor for public questions. Mrs. Record inquired whether Lawson Park was a part of the police step-up with Chief Branson acknowledging affirmatively. Ms. Joyce St. Michael stated Lawson Park's parking area was flooded, causing Director Wortman to investigate the situation.

Acting Mayor Gover seconded by Commissioner Rankin moved to recess to closed session at 7:01 p.m. pursuant to the Illinois Open Meetings Act for the purpose of considering collective negotiating matters between the public body and its employees or their representatives (5 ILCS 120(2)(c)(2)).

Acting Mayor Gover thanked those in attendance and noted no actions after the closed session, except to adjourn.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

Council reconvened at 7:16 p.m.

Commissioner Rankin seconded by Commissioner Hall moved to adjourned at 7:16 p.m.

Acting Mayor Gover declared the motion carried by the following vote: YEA Commissioner Ervin, YEA Commissioner Hall, YEA Commissioner Rankin, YEA Acting Mayor Gover.

/s/ Susan J. O'Brien
City Clerk